

INITIAL STATEMENT OF REASONS
REGARDING THE ADOPTION
OF CALIFORNIA ADMINISTRATIVE STANDARDS
OF THE DIVISION OF THE STATE ARCHITECT – ACCESS COMPLIANCE

CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE
INTO THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1

Chapter 5 - Articles 1, 2, 3, and 4

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when a rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE

Government Code Section 4450(b) directs the State Architect to develop and submit proposed building standards to the California Building Standards Commission (CBSC) for approval and adoption pursuant to Health and Safety Code Section 18935 and to develop other regulations for making buildings, structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities.

This proposed action by DSA/AC will:

- Repeal existing California amendments to eliminate duplicative provisions adopted and/or amended by DSA/AC in CCR, Title 24.
- Codify non-substantive editorial and formatting amendments.

The specific purpose and rationale of each adoption, amendment, or repeal by the Division of the State Architect Access Compliance (DSA/AC) is as follows:

CHAPTER 5
ACCESS TO PUBLIC BUILDINGS BY PERSONS WITH DISABILITIES

The DSA/AC is amending the title of this chapter from “Access to Public Buildings by Physically Handicapped Person” to “Access to Public Buildings by Persons with Disabilities” consistent with terminology used in other parts of this code. This amendment does not create a change in regulatory effect.

ARTICLE 1
Compliance Procedures

5-101 (Purpose). The DSA/AC has undergone reorganization, and the Office of Regulation Services (ORS) no longer exists. This section is being amended to remove reference to the Office of Regulation Services. DSA/AC is amending the phrase ‘the “Access to Public Buildings by Physically handicapped Persons Law” ‘ to read ‘California law requiring access for persons with disabilities’ consistent with terminology used in other parts of this code. This amendment does not create a change in regulatory effect.

5-102 (General). DSA/AC is amending the phrase “handicapped design requirements” to read “minimum requirements for accessibility by persons with disabilities” consistent with terminology used in other parts of this code. This amendment does not create a change in regulatory effect.

5-103 (Application). DSA/AC is amending the name of the application form from “Form No. ORS-1” to “Form DSA-1” consistent with the current project submittal process. DSA/AC is amending this section to indicate that the plans, specifications, application and filing fee should be submitted to one of the four DSA regional offices consistent with the current project submittal process. The names and addresses of the regional offices are being updated. This amendment does not create a change in regulatory effect.

5-107 (Billing for Further Fees). DSA/AC is amending this section to remove reference to the Office of Regulation Services. The DSA/AC has undergone reorganization, and the Office of Regulation Services (ORS) no longer exists. This amendment does not create a change in regulatory effect.

5-109 (Review of Plans and Specifications). DSA/AC is amending this section to remove reference to the Office of Regulation Services. The DSA/AC has undergone reorganization, and the Office of Regulation Services (ORS) no longer exists. This amendment does not create a change in regulatory effect.

5-110 (Written Approval). DSA/AC is amending items (a) and (b) to remove reference to the Office of Regulation Services. The DSA/AC has undergone reorganization, and the Office of Regulation Services (ORS) no longer exists. DSA/AC is amending items (a) and (d) to be consistent with terminology used in other parts of this code. These amendments do not create a change in regulatory effect.

ARTICLE 2

Division of the State Architect/Access Compliance Processing Product Approvals January 1, 2001

In the first paragraph, DSA/AC is proposing to make an editorial correction to repeal the word “NOTE”, and to include the language contained in the note in the body of the regulations, consistent with the format of the new model code. This amendment does not create a change in regulatory effect.

5-201 (Processing Independent Entity Evaluation Approvals (IEEA)). DSA/AC is proposing to amend the position title “Principal of Access Compliance” to read “Principal Architect” consistent with current job classifications. This amendment does not create a change in regulatory effect.

5-205 (Contacts for Questions). DSA/AC is amending item 2 to correctly identify the contact for questions at DSA Headquarters. This amendment does not create a change in regulatory effect.

ARTICLE 3

Acceptance of Detectable Warning and Directional Surface Products for Manufacturers and Design Professionals January 01, 2001

In the first paragraph, DSA/AC is proposing to make an editorial correction to repeal the word “NOTE”, and to include the language contained in the note in the body of the regulations, consistent with the format of the new model code. This amendment does not create a change in regulatory effect.

ARTICLE 4

Application for Independent Entity Evaluation Approval (IEEA)

5-401 (Application for IEEA). This section contains the “Application for IEEA Form”. DSA/AC is amending this form to correct the mailing address for DSA Headquarters. This amendment does not create a change in regulatory effect.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS.

None. These amendments do not create a change in regulatory effect.

CONSIDERATION OF REASONABLE ALTERNATIVES

The alternative to repealing the indicated administrative standards contained in this Part is to maintain them in place. This alternative was rejected since it would result in administrative standards that are used to implement or enforce building standards using incorrect terminology, outdated or in conflict with other parts of Title 24.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

None. These amendments do not create a change in regulatory effect.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS

None. These amendments do not create a change in regulatory effect.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

None. These amendments do not create a change in regulatory effect.